



**State of New Hampshire**  
**DEPARTMENT OF ENVIRONMENTAL SERVICES**

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095  
(603) 271-2147 FAX (603) 271-6588



**LETTER OF DEFICIENCY**  
**WET 2001-19**

June 15, 2001

Mr. Anton Juric  
229 Varney Rd.  
Center Barnstead, NH 03225

RE: DES Wetlands File #2001-00958 Varney Rd, Barnstead

Dear Mr. Juric:

On May 25, 2001 and June 5, 2001, personnel from the Department of Environmental Services ("DES") conducted inspections of the above referenced property, more specifically referenced on Town of Barnstead tax map 41, lot 232 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A, the New Hampshire wetlands law, and 483-A, the Comprehensive Shoreland Protection Act.

Based on the observations made during the field inspections, the following has been documented:

1. Approximately 7,500 sq.ft. of wetlands was disturbed through stumping, dredging and filling.
2. Several stumps were removed from the natural woodland buffer.
3. Within the natural woodland buffer of the protected shoreland, a healthy, well-distributed stand of trees, saplings, shrubs and ground covers was not left in place.

DES has no record or a permit for the impacts to the wetland or the shoreline. In order to obtain restoration of the Property, you are requested to take the following actions:

1. Within 7 days, retain a certified wetlands scientist (enclosed is list of current wetland scientist in NH) to prepare a restoration plan.
2. Within 30 days of receipt of this Letter of Deficiency, submit a restoration plan to DES for review and approval. The restoration plan should include provisions for regrading the excavated wetland areas and replacement of the natural vegetation and restoration of the natural shoreline of Locke Lake. Please submit the following with the restoration plan:
  - a. A plan with dimensions, drawn to scale, showing:
    1. existing elevations, with a delineation of the wetlands on the Property;
    2. proposed contours, including cross-sections showing how the excavated areas would be regraded to historic elevations.

- b. A detailed description of the proposed means of erosion and sediment controls and stabilization of the restoration area;
- c. A detailed description of the proposed planting plan for the stabilization and revegetation of the restoration area. A plantings plan showing the number, type of plant species, proposed location of plantings, diameter of the plant species at breast height. Saplings should be a minimum of 4-6 feet in height and all plantings should be from the list of New Hampshire native and naturalized species.
- d. A description of the proposed construction sequence and methods for accomplishing the restoration and anticipated restoration compliance date.

2. Implement the restoration plan only after receiving written approval and as conditioned by DES.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit.

RSA 483-B, The New Hampshire Comprehensive Shoreland Protection Act, was enacted to protect and preserve the shorelands of the State to maintain the integrity and exceptional quality of the State's public waters. RSA 483-A and Env-Ws 1400-1409 establishes minimum standards for the future subdivision, use, and development of the shorelands within 250 feet of the states public water's.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statutes and rules.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A or RSA 483-B will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows

Vickie Chase,  
Wetlands Bureau  
Water Division  
Department of Environmental Services  
6 Hazen Drive, PO Box 95  
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact our office at (603) 271-2147.

Sincerely,

 **COPY**

Mary Ann Tilton  
Senior Enforcement Officer  
Wetlands Bureau

CERTIFIED MAIL 70000600002212485395

cc    Wetlands File 2001-958  
      Allyson Gourley, Shoreland Compliance Coordinator  
      Rene Pelletier, Manager, Land Resources Management Program  
      Gretchen Rule, DES Enforcement Coordinator  
      Barnstead Conservation Commission  
      Barnstead Board of Selectmen